

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANKLIN STYER	:	CIVIL ACTION NO. 1:13-CV-833
	:	
Plaintiff	:	(Judge Kane)
	:	(Magistrate Judge Carlson)
v.	:	
	:	
FRITO-LAY, INC.	:	
	:	
Defendant	:	

**ORDER**

Before the Court in the above-captioned action is a November 15, 2013 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

**AND NOW**, on this 5th day of December 2013, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.
- 2) The Defendant's Motion to Dismiss Plaintiff's Amended Complaint (Doc. No. 16) is **DENIED**.
- 3) The case is referred back to Magistrate Judge Carlson for pretrial management and for resolution of any pending motions or any future pending motions related to pretrial management.

S/ Yvette Kane  
YVETTE KANE, District Judge  
United States District Court  
Middle District of Pennsylvania